

October 21, 2013
Regular Session

The Bellevue City Council met in regular session on Monday, October 21, 2013 in the Council Chambers with Mayor Christopher J. Roling presiding. The Pledge of Allegiance was recited by all present and the roll was called as follows:

PRESENT: Councilmembers Darla Lawson, Allen Ernst, Gary Feuerbach and Tim Roth. Also Present were City Administrator Loras Herrig, Street Superintendent Chuck Kueter, Dave Namanny, Eric Tott and Lana Ballou

ABSENT: Councilmember Dan Blitgen

APPROVAL OF AGENDA

Mayor Roling reviewed the Agenda and declared it approved.

CONSENT AGENDA

Roth moved with a second by Ernst to approve the Consent Agenda. Motion carried unanimously.

- A. Approve minutes of 10-7-2013 regular session
- B. Approval of Bills and Claims as authorized
- C. Approval of new vendors

STREET DEPARTMENT SALE AND PURCHASE OF EQUIPMENT

The following Bids were received for Street Department Equipment:

1998 Chevrolet K3500 4X4 with dump body. The bid includes an 8.5 foot Western Vee snow plow and an 8 ft. sander with live hydraulics.

- 1. Aaron Burds \$8,800.00

22 ft. twin axle trailer used for transporting city pontoon boat docks.

- 1. Steve Roling \$115.00
- 2. Greg Eft \$526.76

Alkota hot pressure washer model 3852 (needs work)

- 1. Bruce Roling \$51.00

Hydraulic Limb Lobber by Greenlee Fairmount.

- | | |
|-----------------|----------|
| 1. Steve Roling | \$325.00 |
| 2. John Hoff | \$210.00 |

Superintendent Kueter recommended accepting the high bids on the equipment.

Lawson moved with a second by Ernst to accept the following bids:

Aaron Burds – 1998 Truck	\$8800.00
Greg Eft – 22 Ft. Twin Axle Trailer	526.76
Bruce Roling – Alkota Hot Pressure Washer	51.00
Steve Roling – Hydraulic Limb Lobber	325.00

Superintendent Kueter presented information on the purchase of a 2005 FL70 Freightliner Dump Truck. With the sale of the above equipment and the truck this 2005 would replace there would be approximately \$15,000.00 needed for the upgrade.

Feuerbach moved with a second by Roth to approve the purchase of the 2005 Freightliner single axle dump truck. Motion carried unanimously.

2013 MUNICIPAL STREETS SEMINAR

Feuerbach moved with a second by Lawson to approve the attendance of street superintendent Chuck Kueter to the 2013 Municipal Streets Seminar on November 13, 2013 in Ames, Iowa. Motion carried unanimously.

JACKSON COUNTY CONSERVATION BOARD CORRESPONDENCE

The Council received correspondence on the water and sewer extension for Spruce Creek Park.

Feuerbach moved with a second by Ernst to table any discussion until minutes from the Jackson County Board of Health and the Jackson County Zoning Commission are received. Motion carried unanimously.

STATE RECREATION TRAILS PROGRAM GRANT

The Iowa Department of Transportation informed the City that the grant of \$260,774.00 for the Bellevue Rivervue Trail Phase II was approved. The City thanked Daryl Parker for his successful grant writing.

ORDINANCE NO. 394 AMENDING TITLE III COMMUNITY PROTECTION, CHAPTER 3 TRAFFIC CODE, SECTION 3-3-23 SNOWMOBILE REGULATIONS, OF THE BELLEVUE CODE OF ORDINANCES (2009) CHANGING THE DESIGNATED SNOWMOBILE ROUTE WITHIN THE CITY LIMITS

Ernst moved with a second by Lawson to introduce and approve the first reading of Ordinance No. 394. Roll call vote carried unanimously.

Ernst then moved to waive the second and third readings and pass into law upon publication Ordinance No. 394. Roll call vote carried unanimously.

ORDINANCE NO. 394

AN ORDINANCE AMENDING TITLE III COMMUNITY PROTECTION, CHAPTER 3 TRAFFIC CODE, SECTION 3-3-23 SNOWMOBILE REGULATIONS, OF THE BELLEVUE CODE OF ORDINANCES (2009) CHANGING THE DESIGNATED SNOWMOBILE ROUTE WITHIN THE CITY LIMITS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEVUE, IOWA, AS FOLLOWS:

Section 1. TITLE III COMMUNITY PROTECTION, CHAPTER 3 TRAFFIC, CODE, SECTION 3-3-23 SNOWMOBILE REGULATIONS, of the Bellevue Code of Ordinances (2009) is hereby amended as follows:

TITLE III COMMUNITY PROTECTION, CHAPTER 3 TRAFFIC CODE, SECTION 3-3-23 SNOWMOBILE REGULATIONS.

2. Unlawful Operation. It shall be unlawful for any person to operate a snowmobile under the following circumstances:

f. Within the right-of-way of any public street other than the following designated snowmobile route:

- 1) Highway 52 from the North City Limits to Motte North Street.
- 2) Motte North Street from Highway 52 to Jefferson Avenue.
- 3) Jefferson Avenue from Motte North Street to High Street
- 4) High Street from Jefferson Avenue to the alley between Second and Third Street
- 5) The alley between Second Street and Third Street from High Street to Vine Street.
- 6) Vine Street from the alley between Second Street and Third Street to the alley between Riverview Street and Second Street.
- 7) The alley between Riverview Street and Second Street to Elm Street.
- 8) Elm Street from the alley between Riverview Street and Second Street to Riverview Street.
- 9) Riverview Street from Elm Street to the South City Limits.
- 10) Spring Street from the alley between Second Street and Third Street to Seventh Street.
- 11) Seventh Street from Spring Street to Jefferson Street.
- 12) Jefferson Street from Seventh Street to Sixth Street.
- 13) Sixth Street from Jefferson Street to Chestnut Street.

- 14) Chestnut Street from Sixth Street to the alley between Second Street and Third Street.
- 15) Park Street from Seventh Street to Twelfth Street.
- 16) Twelfth Street from Park Street to State Street.
- 17) State Street from Twelfth Street to the West City Limits.
- 18) Mill Creek Road from the intersection of Park Street and Seventh Street to the City Limits.

Section 2. *Repealer.* All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. *Severability.* If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

Section 4. *Effective Date.* This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and approved this _____ day of _____, 2012.

Christopher J. Roling, Mayor

Attest:

Loras Herrig, City Administrator

RESOLUTION NO. 20-13 PROPOSING GRANT OF STRUCTURAL ENCROACHMENT EASEMENT TO REAL PROPERTY AT 201 N. 5TH STREET

Lawson moved with a second by Roth to approve Resolution No. 20-13. Roll call vote carried unanimously.

RESOLUTION NO. 20-13

RESOLUTION PROPOSING GRANT OF STRUCTURAL ENCROACHMENT EASEMENT TO REAL PROPERTY LOCATED AT 201 N. 5TH STREET

BE IT RESOLVED by the City Council of the City of Bellevue, Iowa:

Section 1. *Proposal.* The City Council of the City of Bellevue, Iowa, hereby proposes to enter into a Structural Encroachment Easement Agreement pursuant to which the City will grant and convey a structural encroachment easement for an existing residential dwelling structure situated one foot six inches over, across and under the City's right-of-way on the East side of North 5th Street in favor of the adjacent real property legally described as:

Lot 407 in the Town of Bellevue, Jackson County, Iowa, according to the Official Plat and United States Survey of said Town.

Section 2. *Proposed Conveyance.* The City Council of the City of Bellevue, Iowa, hereby proposes to grant and convey the above-described structural encroachment easement by entering into a Structural Encroachment Easement Agreement with the record holder of title to the above-described real property, namely: Kelly J. Barnes, a married person, in exchange for the payment of all recording costs associated with said conveyance.

Section 3. *Public Hearing.* The City Administrator is hereby directed to publish notice that a public hearing will be held on the proposed grant and conveyance of the above-described structural encroachment easement at the Bellevue City Council Chambers, Bellevue City Hall, on the 4th day of November, 2013 at 6:30 o'clock P.M., at which time the City Council will hear any objections to the proposed conveyance from any interested party.

Section 4. *Effective Date.* This resolution shall be in effect upon its passage and approval as provided by law.

Passed and approved this ____ day of October, 2013.

Christopher J. Roling, Mayor

ATTEST: _____
Loras Herrig, City Administrator

MUSEUM COMMITTEE

To progress with plans for the Museum, Administrator Herrig suggested the Council appoint a committee to meet with the Museum Board.

Lawson moved with a second by Roth to appoint Councilmen Allen Ernst and Gary Feuerbach to the Museum Committee. Motion carried unanimously.

ORDINANCE NO. 395 AMENDING TITLE III, CHAPTER 3, SECTION 24 “PLACEMENT OF STOP SIGNS” TO ADD STOP SIGNS AT THE INTERSECTION OF JEFFERSON AVENUE AND HIGHWAY 52 AND JEFFERSON AVENUE RAILROAD INTERSECTION

Feuerbach moved with a second by Ernst to introduce and approve the first reading of Ordinance No. 395. Roll call vote carried unanimously.

Lawson then moved with a second by Roth to waive the second and third readings and pass into law upon publication Ordinance No. 395. Roll call vote carried unanimously.

ORDINANCE NO. 395

AN ORDINANCE AMENDING TITLE III, CHAPTER 3, SECTION 24 “PLACEMENT OF STOP SIGNS” TO ADD STOP SIGNS AT THE INTERSECTION OF JEFFERSON AVENUE AND HIGHWAY 52 AND JEFFERSON AVENUE RAILROAD INTERSECTION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BELLEVUE, IOWA:

SECTION 1. *Amendment to 3-3-24(1)* Section 3-3-24(1) of the 2009 Bellevue Municipal Code of Ordinances is hereby amended by adding the following intersection:

Jefferson Avenue and Highway 52	North
Jefferson Avenue Railroad Intersection	North and South

SECTION 2. *Repealer.* All ordinances or parts of ordinance in conflict with this ordinance are hereby repealed.

SECTION 3. *Severability.* If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 4. *Effective Date.* This ordinance shall be in effect after its final passage, approval and publication as provided by law.

Passed and approved by the City Council this _____ day of _____, 2012.

City Administrator

Mayor

BILLS AND CLAIMS

The following Bills and Claims were paid as approved:

IRS	Fed./W.H./S.S./Medicare	9438.39
IRS	Fed. W.H/S.S./State W.H.	9483.09
Treas. State of Iowa	Sales Tax	2575.00
Ia.Dept. of Labor Services	Boiler Inspection	125.00
Ia. Workforce Development	Unemployment Ins.	410.44
Medical Assoc. Health Plans	City Health Ins.	16750.03
U.S. Cellular	Police Cell Phone Expense	95.46
Black Hills Energy	City Gas Utility	457.20
Cindy Blake	Mileage Reimbursement	66.60
Tower Distribution CO.	Programming Charges	139.10
Iowa DNR	Exam Fee	30.00
IPERS	Retirement	12615.78

Treas. State W.H.	Payroll W.H.	3177.00
American Funds	Payroll Withholding	2020.00
National Cable TV Coop	Programming Charges	19171.21
Akron Brass Company	FD Equipment Maint.	1379.80
Assurant Emp. Benefits	City life Ins.	141.60
ATS Petro	City Gas Purchases	787.47
Bancard Center	Police/FD/Amb/P&A Expense	3300.60
Barco Municipal Pro. Inc.	Rdwy. Traffic Services	117.11
BBC American	Cable Programming	248.88
Bellevue Dev. Inc.	Developer's TIF	35398.02
Bellevue Lumber	Rdwy. Maintenance	24.69
Bellevue Mun. Util.	City Util. Bills	4806.96
Bellevue Pharmacy	Supplies	31.48
Bellevue Sand & Gravel	Roadstone	1202.39
Bellevue State Bank	Monthly Cable Pymt.	2330.00
Bellevue State Bank	Monthly Cable Pymt.	2584.50
Bellevue State Bank	Monthly Cable Pymt.	4631.00
Big Ten Networks	Programming Charges	1112.64
Casey's General Store	City Gas Purchases	1072.42
Central United Life Ins.	Cancer Ins. – Payroll W.H.	269.66
Chris's Carpentry Serv.	Amb. Bldg. Const.	3880.00
City of Bellevue	LOT Funds to DS for Pymt.	4459.66
City of Bellevue	Stm. Water to DS/Park St. Pj. Pmt.	4759.16
City of Bellevue	Office Transf./Cable PILT	11693.66
Comcast Sportsnet	Cable Programming	2232.60
ComElec. Serv. Inc.	FD Radio Expense	180.00
D&T Concrete	Roadway Sidewalk Expense	750.00
Dennis Ernst	Brush Cutting	150.00
Discovery Communications	Programming Charges	453.84
Doug Hefel	Developer TIF	2572.10
Eagle Engraving Inc.	F.D. Minor Equip.	19.80
Elliott Equip. Co.	C.C. Dumpster	545.00
ETI Software Solutions	2 nd Qtr. Tech Support	7620.00
Fidelity Bank	Monthly Cable Pymt.	2584.50
Fidelity Bank	Monthly Cable Pymt.	2330.00
Fidelity Bank	Monthly Cable Pymt.	4631.00
Freedom Hydraulics Inc.	Sweeper Maintenance	120.00
Gall's Inc.	F.D. Minor Eqpt.	47.96
Grainger	Park Safety Fuel Cans	278.00
Greg Schulte	Amb. Bldg. Maint.	104.16
HUB Television	Programming Charges	113.46

I Wireless	Public Works Cell Phone	3.99
Ia. Assoc. of Mun. Util.	ECIASSO Dues	331.16
Ia. League of Cities	Budget Workshop	35.00
IIW, P.C.	Engineering Exp.	17885.25
Innovative Systems	4 th Qtr. IPTV License	1458.88
Iowa Network Services	Video Transport/Programming	6109.13
Ia. Prison Industries	Rdwy. Traffic Services	439.55
J&R Supply Inc.	Rdwy. StmWtr Curb Opening	85.00
JJ Scheckel	Rdwy. Eqpt. Maintenance	177.43
Jackson Co. Humane Soc.	Animal Control	130.00
John Deere Financial	Clothing Allowance	181.22
Kanndo Professional Svs.	City Hall Bldg. Maint.	1222.00
KCRG	Programming Charges	453.60
KLJB/KGCW	Programming Charges	757.00
KWQC	Programming Charges	756.00
LL Pelling Company	Street Seal Coating	83591.82
LaMotte Telephone Co.	Internet/Video Transport	15609.00
Lampe True Value	City Misc. Expenses	537.35
Maquoketa Valley Elec. Coop	Security Light	12.33
Matt Parrott	Envelopes/Bldg. Pmt.	394.30
Medical Assoc. Clinic	Medical Expense	140.00
Midwest Business Prod.	Copier Expense	65.85
Midwest Radar &Eqpt.	Police Legal & Prof.	80.00
Mutual Wheel Co.	Sanitation Equip. Maint.	80.43
Nexstar Broadcasting	Programming Charges	321.30
PCC Inc.	Amb. Billing Serv.	938.74
Reliable Office Supp.	Office Supplies	156.39
River City Paving	Sealing &Reconst. Expense	3200.00
River Valley Energy	City Gas Purchases	1005.86
Roeder Bros. Inc.	Equipment Maintenance	1975.53
Ruth Sieverding	Monthly Maintenance Exp.	750.00
Sandry Fire Supply LLC	F.D. Bunker Gear	1076.10
Schoenthaler,Bartelt,Kahler.Reicks	Legal Expenses	2737.00
2 nd Street Station	F.D. Fire Prevention Epanse	93.61
Service Supply	Park Misc. Expense	91.35
Sinclair Broadcast Group	KGAN/KFXA Programming	999.24
Superior Welding Supply	Amb. Operating Exp.	111.82
T & W Grinding & Compost	July-Sept. Compost Contract	1750.00
Technology Reflections Inc.	F.D. Expense	795.00
Telegraph Herald	PW Bid Publication	198.40
The Car Wash	City Gas Purchases	1524.53

The Herald Leader	City Publications	65.84
Till's Garage Inc.	City Vehicle Repair	184.21
Tower Distribution CO.	Programming Charges	140.65
Tribune Media Serv.	EPA Guide	512.20
US Post Office	Stamps	759.00
United Laboratories	Dumpster Degreaser	1077.72
U.S. Cellular	Cell Phone Charges	479.97
Waste Author. Of Jac. Co.	Tipping Fees	5079.48
Weber Paper Co.	Copy Paper	665.46
Windstream	City Phone Bills	573.34

ADJOURNMENT

There being no further business to come before the Council it was moved by Feuerbach and seconded by Ernst to adjourn at 7:16 p.m. Motion carried unanimously.

City Clerk

Mayor